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## SUPERIOR COURT OF WASHINGTON FOR THE COUNTY OF THURSTON

IN THE MATTER OF THE RESPONSE BY THURSTON COUNTY SUPERIOR COURT TO THE PUBLIC HEALTH EMERGENCY IN WASHINGTON STATE

NO. 20-2-00001-34

EMERGENCY ADMINISTRATIVE ORDER #1

There is a public health emergency in Thurston County, Washington as outlined by the following events:

- 1. On February 29, 2020, Governor Jay Inslee declared a state of emergency due to the public health emergency posed by the coronavirus disease 2019 (COVID-19).
- 2. On March 4, 2020, Washington Supreme Court Justice Debra Stephens entered an Emergency Order (No. 25700-B-602) that states, in part, as follows:

WHEREAS, during this state of emergency, it may become necessary for courts in these counties to close, relocate, or otherwise significantly modify their regular operations; and WHERAS, the presiding judges in these counties need sufficient authority to effectively administer their courts in response to this state of emergency, including authority to adopt, modify, and suspend court rules and orders as warranted to address the emergency conditions. NOW, THEREFORE, pursuant to the Court's authority to administer justice and to ensure the safety of court personnel, litigants, and the public, It IS HEREBY ORDERED THAT:

> 1. The Presiding Judges of the Washington courts are authorized to adopt, modify, and suspend court rules and orders, and to take further actions

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concerning court operations, as warranted to address the current public health emergency:

- 3. On March 10, 2020, the World Health Organization declared COVID-19 a pandemic.
- 4. On March 11, 2020 Governor Jay Inslee declared that in three counties (Snohomish, King and Pierce) directly to the north of Thurston County all public gatherings of 250 people or more are banned through March 31, 2020.
- 5. On March 12, 2020 Governor Jay Inslee declared that in three counties (Snohomish, King and Pierce) directly to the north of Thurston County, all schools are closed for six weeks beginning March 17, 2020 through April 24, 2020.
- 6. On March 12, 2020, School Districts within Thurston County have closed, including Olympia School District.
- 7. On March 12, 2020, the Board of County Commissioners passed a resolution declaring an emergency in Thurston County.
- 8. As of the date of this order, there is 1 reported confirmed case in Thurston County, 568 confirmed cases in the State of Washington and 37 deaths reported in Washington State from COVID-19.
- 9. Superior Court Main Campus Courthouse is located at 2000 Lakeridge Drive SW, Olympia WA. There are five (5) courtrooms with jury capabilities and one (1) courtroom for nonjury hearings. The maximum capacity of individuals in each of the four (4) jury courtrooms on the second floor is 49 people. The maximum capacity of individuals in the jury courtroom on the first floor is 105 people. There are three (3) usable deliberation rooms on the second floor, two (2) of those rooms are connected by a "Jack and Jill" bathroom. The capacity for each of the jury deliberation rooms on the second floor is 12 people. There is one usable deliberation room on the 1<sup>st</sup> floor, with a maximum capacity of 14 people. There is no jury orientation room within Superior Court. Superior Court will continue utilize Building 1 room 152 for jury orientation. The maximum capacity of individuals in Building 1, room 152 with the expanded space is 147 people. The above maximum capacities do not include considerations of social distancing practices. Social distancing practices require far fewer occupants of these spaces. The average number of jurors summoned for a trial is 50 people, the average impaneled jury is 12-13 people.

10. To allow for social distancing: 1) jury selection will only be conducted in the jury courtroom on the first floor; 2) during the jury trial the jury will utilize the two connected deliberation rooms on the second floor and 3) deliberations of the jury will have to occur in an unoccupied courtroom.

Based on information from the Center for Disease Control (CDC), above circumstances and in consultation with Thurston County Public Health and Social Services, (TCPHSS), and considering the constitutional and statutory rights of litigants and other individuals, Thurston County Superior Court is taking the actions set forth in this Order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT EFFECTIVE MARCH 16, 2020, UNTIL AT LEAST, MAY 15, 2020:

- 1. THE SUPERIOR COURT EXERCISES ITS AUTHORITY UNDER ORDER NO. 25700-B-602 OF THE SUPREME COURT OF WASHINGTON TO SUSPEND ALL CIVIL AND CRIMINAL RULES ON A CASE-BY-CASE BASIS, INCLUDING, BUT NOT LIMITED TO, CRIMINAL RULES 3.3 (TIME FOR TRIAL) AND 3.4 (PRESENCE OF THE DEFENDANT).
- 2. THE COURT SUSPENDS ALL CIVIL TRIALS, TO INCLUDE BOTH BENCH AND JURY TRIALS. Dependency, Termination, Juvenile Offender, Family Law, Unlawful Detainer and Involuntary Treatment Act trials are not subject to this suspension at this time
- 3. SUPERIOR COURT WILL ONLY CONDUCT ONE JURY TRIAL AT A TIME. Such limitation is to ensure appropriate social distancing measures are provided as outlined by the CDC and TCPHSS within courthouse facilities.
- 4. *Main Campus, Criminal Calendars*: Criminal Calendars will continue with possible modifications at the discretion of the Court.
- 5. Main Campus, Civil Calendars: Superior Court will only hear emergent or time sensitive matters on civil calendars. Non-emergent motions will be struck, unless otherwise specified. Unless otherwise directed, emergent motions will be heard without oral argument or heard telephonically. Currently scheduled dispositive motions, whether

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- emergent or not, may be struck or considered by the Court in its discretion. Administrative law reviews will be rescheduled unless otherwise specified.
- 6. Family Law Motions: Litigants and attorneys are encouraged to limit motions when possible and are encouraged to file only motions regarding emergent issues.
- 7. Final Orders Calendar: All in-person hearings on the agreed final orders calendar will be suspended beginning March 20, 2020.
- 8. FJC Trial Confirmation: The FJC Trial Confirmation calendar will be conducted via phone.
- 9. Dependency Motions: The Court will manage these calendars on a case-by-case basis. Each Judge is managing their calendars.
- 10. Guardianship and Probate Calendar and Vulnerable Adult Protection Order Calendar:
  Litigants and attorneys are encouraged to file only motions regarding emergent or time sensitive issues. Telephone and video appearances are encouraged.
- 11. Settlement Conferences: All settlement conferences will be conducted by phone.
- 12. Family Law Orientation: In person classes have been canceled.
- 13. All other calendars including Family Recovery Court and ITA Calendars will remain as currently scheduled.
- 14. Court Administration service windows may have reduced counter hours to address emails and phone calls. Updates to hours will be posted to the website.

THIS ORDER, INCLUDING ITS EFFECTIVE PERIOD (March 16, 2020 through May 15, 2020) IS SUBJECT TO CHANGE AS CONDITIONS WARRANT.

DATED: March \( \sum\_{2020}.

Erik D. Price, Presiding Judge Thurston Co. Superior Court

(360) 786-5560 Fax: (360) 754-4060